

82016-1

5/6/2014

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

May 6, 2014

Earth-Kind, Inc.

2910 East Broadway #19
Bismark, ND 58501
Attn: Kari Warberg Block

Subject: Notification of additional alternate brand names and other minor label changes, per PR Notice 98-10.

Product Brand Name: **Fresh Cab**
EPA Reg. No: **82016-1**.

Your Submission dated April 22, 2014.

The label changes are as follows:

1. Addition of alternative brand names: (a) **Stay Away Mice** (b) **Stay Away Rodents** (c) **Stay Away Botanical Repellent** and (d) **Botanical Rodent Repellent**.
2. Delete "100% from the currently approved statement, "Plant-Based---Made with 100% Balsam Fir Oil."
3. Revise label to add alternative package sizes.
4. Add "made in the U.S.A."
5. Update company name, & address information.

Dear Ms. Block:

The Biopesticides and Pollution Prevention Division is in receipt of your application for Notification under Pesticide Registration Notice (PRN) 98-10 dated above. A screen of this request has been conducted for its applicability under PRN 98-10, and it has been determined that the actions requested fall within the scope of this Notice. Our records have been duly noted, and the label submitted with this application has been stamped "Notification Accepted" and will be placed accordingly in our records.

Three (3) copies of final printed labeling must be submitted to the Agency before your product as modified, may be sold or distributed [PR Notice 82-2 and 40 CFR 156.10(a)(6)].

If you have any questions regarding this action, you may contact Mr. Sylvester George at (703) 603- 0688 or via e-mail at george.sylvester@epa.gov.

Sincerely,

Linda A. Hollis

Linda A. Hollis, Chief
Biochemical Pesticide Branch
Biopesticides and Pollution
Prevention Division (7511P)

Please read instructions on reverse before completing form.

Form Approved. OMB No. 2070-0060.

 United States Environmental Protection Agency Washington, DC 20460	<input type="checkbox"/>	Registration	OPP Identifier Number
	<input type="checkbox"/>	Amendment	
	<input checked="" type="checkbox"/>	Other	

Application for Pesticide - Section I

1. Company/Product Number EPA Reg. No. 82016-1	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Fresh Cab	PM#	
5. Name and Address of Applicant (Include Zip Code) EARTH-KIND, INC. 2910 EAST BROADWAY #19 BISMARCK ND 58501 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3)(b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Notification Accepted

Date: 5/6/2014

Reviewer: *Shirley Gray*

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For Section I and Section II) Notification of additional alternative brand names and other minor label changes. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

Section - III

1. Material This Product Will Be Packaged In:			
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input type="checkbox"/> Metal <input type="checkbox"/> Plastic <input type="checkbox"/> Glass <input checked="" type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* Certification must be submitted		If "Yes" Unit Packaging wgt. 2.5 oz	No. per container 1, 2, 3, 4, 12, 24, 36
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container See Unit Packaging	5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Sheryl L. Dolan	Title Senior Regulatory Consultant	Telephone No. (Include Area Code) (202) 557-3804
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.		6. Date Application Received <div style="text-align: center; border: 1px solid black; padding: 5px;">(Stamped)</div>
2. Signature 	3. Title Chief Executive Officer	
4. Typed Name Kari Warberg Block	5. Date 4-22-14	

Document Processing Officer

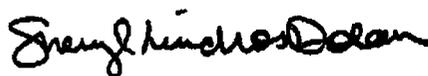
April 23, 2014

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Kind may be subject to enforcement action and penalties under FIFRA Sections 12 and 14. Accompanying this letter is EPA Form 8570-1, which contains this certification as prescribed in PR Notice 98-10 and has been signed by Earth-Kind's representative.

If you have any questions or comments following review of the enclosed notification, please call either me at (202) 557-3804 or my colleague, Henry M. Jacoby, at (301) 865-9090.

Sincerely,



Sheryl L. Dolan

cc: Ms. Kari Warberg Block (Earth-Kind) (via e-mail)
Mr. Naeem Ahmad (CPDR) (via e-mail)

[Optional/alternative statements in brackets]

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FRESH CAB®

[Alternate Brand Name: Botanical Rodent Repellent, Mouse Pouch, STAY AWAY MICE, STAY AWAY RODENTS, STAY AWAY Botanical Rodent Repellent]

- Plant-Based - Made with 100%Balsam Fir Oil
- Lab proven to be effective
- Control Without Concern

Notification Accepted

Date: 5/6/2014

Reviewer: *Sylvester George*

For Use In:

Garages-Sheds
Autos-Cabins
Basements & More

ACTIVE INGREDIENT:

Balsam Fir Oil, a botanical pesticide.....2.0%

OTHER INGREDIENTS:

Fragrance oil, plant fibers.....98.0%

TOTAL.....100.0%

EPA Registration No.: 82016-1

EPA Est. No.: 82016-MN-001

Net Contents [2.5 oz.]

[2 – 2.5 oz pouches]

[3 – 2.5 oz pouches]

[4 – 2.5 oz pouches]

[12 – 2.5 oz pouches]

[24 – 2.5 oz pouches]

[36 – 2.5 oz pouches]

KEEP OUT OF REACH OF CHILDREN

General Information:

[Fresh Cab]The Mouse Pouch repels by odor that is offensive to rodents, but not to humans.

This product can be used effectively to repel rodents from infested areas for up to 30 days.

DIRECTIONS FOR USE:

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

[Optional/alternative statements in brackets]

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Indoors: Use in non-living areas (attics, basements, cellars, storage areas, garages, sheds, pantries, and barns) Place one scent pouch per 8 square feet in areas to be protected (i.e. use 4 pouches in a single car garage or one pouch in a pantry). Replace when scent has diminished. Length of effectiveness depends on air exchange rates and temperature.

Enclosed Spaces: Use in autos, R.V.'s, airplanes, boats, tractor, trucks, etc. Place four scent pouches per storage unit per season to freshen the average size camper, boat, truck or auto. Replace scent pouches when scent has diminished. The product lasts up to 30 days in cold storage areas. Length of effectiveness depends on air exchange rates and temperature condition of storage areas.

STORAGE AND DISPOSAL: Do not contaminate water, food, or feed by storage and disposal.

STORAGE: Store in original container in cool, dry place that is inaccessible to children and pets. Keep container tightly closed to prevent evaporation.

DISPOSAL: Non-refillable container. Do not reuse or refill this container. Promptly dispose of used pouches in the trash so as not to attract ravenous mice. Contents and packaging are biodegradable.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

Crane Creek Gardens earthkind®

This innovative product was invented out of necessity. I was offended by the toxic smell of moth balls and the unpleasant odors we found in our farm implements in the spring, so I came up with a plant-based alternative that would both freshen and protect our storage areas for up to three months. This product is safe when used as directed and offers a kinder way to repel rodents from vacant storage areas.

I wish to personally thank you for purchasing this product. In doing so, you support American farmers, less advantaged communities and our precious environment. I welcome your comments and suggestions.

~~173rd Ave. SE Stanley, ND 58784 earthkind®~~
~~1-800-583-2921~~ ~~2910 East Broadway #19~~
~~www.cranecreekgardens.com~~ ~~Bismarck, ND 58501~~
~~info@cranecreekgardens.com~~

WARRANTY 100% MONEY BACK GUARANTEE

If this product does not perform to claims when used as directed, send cash register receipt, UPC Code below and reason for dissatisfaction to:

Crane Creek Gardens earthkind®

Customer Service Dept.

173rd Ave. SE, 2910 East Broadway, #19

Stanley, ND 58784 USA Bismarck, ND 58501

[Optional/alternative statements in brackets]

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Manufactured By:
Earth-Kind Inc.

FRESHENS THE AIR AND REPELS RODENTS UB ENCLOSED STORAGE AREAS
INCLUDING:

- Cabins
- Vehicles
- Farm equipment
- Garage and Storage Units
- Campers
- Airplanes
- Boats
- Hot tubs

| ~~See attached final label draft for graphics~~

| Lot Number: xxxxxxxx

| Made in the U.S.A.
